

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Alice F. Lewis

SSN ###-##-8970)

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Debtor

**MOTION
CHAPTER 13**

No: B 09-81318 C-13D

The undersigned Standing Trustee respectfully moves the Court for a hearing on the following:

The Debtor filed a Chapter 13 Petition on August 5, 2009. The Debtor's §341 meeting was scheduled for September 16, 2009. The Debtor failed to appear at the scheduled §341 meeting and has failed to make the scheduled Plan payment.

The Standing Trustee respectfully recommends to the Court that this case be dismissed prior to confirmation for failure to attend the scheduled §341 meeting and for nonpayment, and that such dismissal shall be **WITH PREJUDICE**, as to bar the Debtor from seeking relief under Chapter 13 by the filing of a Chapter 13 petition or otherwise seeking relief under Title 11 of the United States Bankruptcy Code for a **PERIOD OF 180 DAYS** from the date of the dismissal.

Date: September 21, 2009

RMH:lt

s/Richard M. Hutson, II
Standing Trustee

NOTICE TO INTERESTED PARTIES OF HEARING ON MOTION

You are notified that the foregoing matter will be heard before this Court at the Courtroom, Venable Center, Dibrell Building, Suite C280, 302 East Pettigrew Street, Durham, NC, on **October 22, 2009**, at 12:00 p.m.; at which time you may appear and offer your evidence. If you fail to appear, the motion may be taken as true and an Order entered accordingly.

Date: September 21, 2009

OFFICE OF THE CLERK
U.S. Bankruptcy Court

PARTIES TO BE SERVED

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